

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous Fuels
and Fire Rehabilitation Actions**

**Western Spirit Cycling, Inc.
DOI – BLM-AZ P010-2011-037-CX**

A. Background

BLM Office: *Hassayampa Field Office (HFO)*

Lease/Serial/Case File No.: **N/A (TBD)**

Proposed Action Title/Type: **Western Spirit Cycling on the Black Canyon NRT**

Location of Proposed Action: **Black Canyon Management Unit**

Description of Proposed Action: Provide for four to five days of guided mountain biking tours on the Black Canyon National Recreation Trail. The use of Mica Mine Campground or private facilities will be used for overnight stay. Dispersed camping may be an option along the trail where vehicle access is permitted, primarily in open area already denuded, such as Big Bug, Castle Creek, Bumble Bee group site, Crown King site, and Table Mesa areas (identified in recreation plan). They will bring portable toilets if needed, and will carry out all garbage. A support vehicle will assist along the trail at designated areas only. Leave No Trace techniques will be practiced. Up to 14 guests and two to three guides will compose each trip. Dry bags will be filled with camping and personal gear. Guides will give a pre-trip briefing including backcountry etiquette, riding skills, safety precautions, and information of the area. Riders will be required to keep bicycles on the trail. A support vehicle will deliver lunches. Camping: propane or charcoal will be used for cooking with the use of fire pans to prevent scorching the vegetation or soil. The group will be divided between slow and fast riders, with each guide leading a maximum of six people. Guides will be immersed in the cultural and natural history of the area to add to interpretative opportunities along the way.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: **Bradshaw-Harquahala Record of Decision and Approved Resource Management Plan**

Date Approved/Amended: **4/22/2010**

The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

Explain specific or implied decision(s):

RR – 30 SRPs are authorized on a case by case basis for all recreation activities meeting the requirements in 43 CFR 2930 and applicable manuals, policies, and guidance. SRPs are required for all commercial recreation activities.

RR – 31 Issuance of SRPS is at BLM’s discretion. Bill evaluates permit applications on the basis of applicable laws and regulations and conformance with the RMP.

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 Departmental Manual (DM) 11.9:

H. Recreation Management

Issuance of Special Recreation Permits for day use or overnight use up to 14 consecutive nights; that impacts no more than 3 staging area acres; and/or for recreational travel along roads, trails, or in areas authorized in a land use plan. This CX cannot be used for commercial boating permits along Wild and Scenic Rivers. This CX cannot be used for the establishment or issuance of Special Recreation Permits for “Special Area” management (43 CFR 2932.5).

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 11.9 apply.

I considered: As identified in the Bradshaw-Harquahala Record of Decision/Resource Management Plan under the categories of Special Recreation Management Area and Recreation Management Zone Market Niche; this trail has been identified as a regional and national asset for trail users. Benefit based management/outcomes which guided this document identified the need to provide for mountain biking, equestrian, and hikers use of the long distance trail.

D: Signature

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects (see Attachment 1). Therefore, it is categorically excluded from further environmental review.*

Prepared by: _____/s/_____

**Mary Skordinsky
Project Lead**

Reviewed by: _____/s/_____

**Leah Baker
Planning & Environmental Coordinator**

Approved by: _____/s/_by Rem Hawes_____

**Steven Cohn
Manager**

Contact Person

For additional information concerning this CX review, contact:

Mary Skordinsky, mary_skordinsky@blm.gov, 623-580-5586

Note: A separate decision document must be prepared for the action covered by the CX.

BLM Categorical Exclusions: Extraordinary Circumstances¹
Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The Black Canyon National Recreation Trail (BCT) has been designed to provide for non-motorized activities such as mountain biking opportunities. Ancillary supports including rustic camping are present along trail.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Use will remain predominately on the trail and denuded areas. There are no known unique features along the route. Trail was rerouted in areas where cultural resources were present. Support vehicle travel will be on existing/designated roads.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: By permitting this activity use will be contained to a specific area, the trail and camping facilities, and on existing roads for support vehicles.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There are no known potentially significant environmental effects or unique or unknown environmental risks associated with the proposed activity using the BCT.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There are no known future actions with potentially significant environmental effects associated with this action.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There are no foreseeable cumulatively significant environmental effects associated with this action.

¹ If an action has any of these impacts, you must conduct NEPA analysis.

7. Have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: According to a site file search, there are sites considered eligible for the National Register though none are within the requested action of this application.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Desert tortoise may be encountered as the trail meanders through prime tortoise habitat. The desert tortoise is a BLM sensitive species and is protected by state law. Guidelines for handling the Sonoran desert tortoise will be included as a stipulation.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The BCT is on land administered by the BLM, or via easement, where all federal, state, local, and tribal law or requirement imposed for the protection of the environment is met.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: This action does not adversely affect low income or minority populations.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: There are no known sacred sites along the trail or within the Mica Mine campground (former mine site) or denuded areas.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		
Yes <input type="checkbox"/>	No <input type="checkbox"/>	Rationale: Activity will stay on the BCT, Mica Mine Campground and denuded areas, or private campground facilities. There are no known actions covered in this permit that would propagate weed species.

Decision
Attachment 2

Project Description:

Provide for four to five days of guided mountain biking tours on the Black Canyon National Recreation Trail. The use of Mica Mine Campground or private facilities will be used for overnight stay. Dispersed camping may be an option along the trail where vehicle access is permitted, primarily in open area already denuded, such as Big Bug, Castle Creek, Bumble Bee group site, Crown King site, and Table Mesa areas (identified in recreation plan). They will bring portable toilets if needed, and will carry out all garbage. A support vehicle will assist along the trail at designated areas only. Leave No Trace techniques will be practiced. Up to 14 guests and two to three guides will compose each trip. Dry bags will be filled with camping and personal gear. Guides will give a pre-trip briefing including backcountry etiquette, riding skills, safety precautions, and information of the area. Riders will be required to keep bicycles on the trail. A support vehicle will deliver lunches. Camping: propane or charcoal will be used for cooking with the use of fire pans to prevent scorching the vegetation or soil. The group will be divided between slow and fast riders, with each guide leading a maximum of six people. Guides will be immersed in the cultural and natural history of the area to add to interpretative opportunities along the way.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations in attachment A.

The decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR Part 4. Public notification of this decision will be considered to have occurred on DATE of NOTICE GIVEN. Within 30 days of this decision, a notice of appeal must be filed in the office of the Authorized Officer at 21605 North 7th Avenue, Phoenix Arizona, 85027. If a statement of reasons for the appeal is not included with the notice, it must be filed with the Interior Board of Land Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy St., Suite 300, Arlington, VA 22203 within 30 days after the notice of appeal is filed with the Authorized Officer.

If you wish to file a petition for stay pursuant to 43 CFR Part 4.21(b), the petition for stay should accompany your notice of appeal and shall show sufficient justification based on the following standards:

- *The relative harm to the parties if the stay is granted or denied,*
- *The likelihood of the appellant's success on the merits,*
- *The likelihood of irreparable harm to the appellant or resources if the stay is not granted, and*
- *Whether the public interest favors granting the stay.*

If a petition for stay is submitted with the notice of appeal, a copy of the notice of appeal and petition for stay must be served on each party named in the decision from which the appeal is taken, and with the IBLA at the same time it is filed with the Authorized Officer.

A copy of the notice of appeal, any statement of reasons and all pertinent documents must be served on each adverse party named in the decision from which the appeal is taken to: Field Solicitor, U.S. Department of the Interior, 401 West Washington Street, Suite 404, Phoenix Arizona 85003, not later than 15 days after filing the document with the Authorized Officer and/or IBLA.

Approved By: _____/s/_ by Rem Hawes _____ **Date:** __09/02/2011__

Steven Cohn

Manager